

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKEimont Bronzini

USDC-SDNY
DOCUMENT
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DOC #:
DATE FILED: <u>5/18/12</u>

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

11 Civ. 2096 (KBF)

- against -

Classic Security LLCNOTICE OF MOTION
of RECUSAL

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

PLEASE TAKE NOTICE that upon the annexed affirmation of Eimont Bronzini
 affirmed on May 18 (name), 2012, and upon the exhibits attached thereto (delete if no
(date) exhibits), the accompanying Memorandum of Law in support of this motion (delete if there is no
Memorandum of Law), and the pleadings herein, plaintiff/defendant will move this Court, before
K.B. FOREST (circle one), United States District/Magistrate Judge, for an order
(Judge's name) motion for (circle one)
 pursuant to Rule RECUSAL of the Federal Rules of Civil Procedure granting (state what you want the
Judge to order): PLEASE TO RESPOND TO MY MOTION OF RECUSAL
IN REASSIGNING TO THE CASE 11CIV. 2096 (KBF) THE NEW JUDGE
INSTEAD OF JUDGE K.B. FOREST, BECAUSE SHE IN HER FIRST
MEMORANDUM DECISION & ORDER OF 5/2/12 OFFICIALLY PROVIDED HER
INTENTIONAL REFUSAL TO OPEN BOTH SIDE'S CASES....(CONTINUED ON 12 PAGES)

I declare under penalty of perjury that the foregoing is true and correct. ATTACHEDDated: NEW YORK, NY
 (city) 65 (state) 18, 2012
 (month) May (day) 18 (year) 2012Signature E. Bronzini
 Address 2257 81st STREET APT C-1
BROOKLYN, NY 11214
 Telephone Number 718 480 3741
 Fax Number (if you have one)

...for fair or even any revue for consideration (**revue of BOTH side's cases in US Court is a MUST**). As a US Court's Judge **K.B.Forest** **MUST** now, in 2012 year, to revue and to consider not **ONLY** by rewriting/recopying **THE ONLY** one side's source Opinion & Order **AGAIN** as on 1/15/2009 corrupted judge **H.Baer** was rewrite/recopied the **ONLY** defendant's lawyer's created Defendant's Local Civil Rule 56,1 Statement of Facts and Classic Security, LLC's Memorandum of Law in support its Motion For Summary Judgment filed on November 7,2008 as super small (only 5% picked words from 100% facts) version of allegedly undisputed facts, which where picked from context of 2008 Plaintiff Amended Complaint and changed them into opposite meanings, into misstatements, lie, into wanted way . Judge **K.B.Forest** by recopying/rewriting **ONLY** defendant's lawyer's/judge's **H.Baer's** intentional lie proffered her incompetence , her nonwillingness to consider on **BOTH** cases , her openly greedy , corrupted intentions same as judge **H.Baer** , who on 1/15/09 sold his favor and his judge's honor to multimillionaire defendant by intentionally untouched and even with one word mentioned that existed Plaintiff's Case , which contained Plaintiff's Statement Of Facts and Law in Opposition to Defendants Motion For Summary Judgment with 204 supportive admissible evidences, selected as the most crucial from 5000 documents, recovered during period of Motion To Compel Discovery from defendant by numerous of strict Orders issued by the same corrupted judge

H.Baer , who couple months later sold all Case with all (5000) findings to defendant.

Judge K.B.Forest must be replaced as completely incompetent as US Court's Judge, because in her Memorandum Decision & Order on page #8 written citation (provided below) about collateral estoppel doctrine is completely opposite than her personal dismissal orders with prejudice on full 2004-2008/2009 year's period, which remained untouched ever prior (by 2007 EEOC, by 2009 judge **H.Baer**, by 2010 Court of Appeals) and now in 2012 year by corrupted judge

K.B.Forest:

...."Though , there are the limits to the application of collateral estoppel defendant requests this Court to preclude plaintiff from litigating any issues which arouse prior to the district court's decision in Bronzini I. (See Def.'s Mem. At 2.) That is too broad for the collateral estoppel doctrine, which precludes plaintiff from raising only identical issues raised in the previous proceeding (i.e., not issues that existed prior to the court's decision). Moreover, even were the issues may be the same as those raised in the prior case, the collateral estoppel doctrine will not apply where have been "changes in facts essential to a judgment." *Montana v. U.S.*, 440 U.S. 147, 159, 99 S. Ct. 970, 977 (1979)."

**WHEN, WHERE AND WHY PLAINTIFFS' MR. BRONZINI AND
MRS. BRONZINI HAD AND STILL HAVE NOT FULL AND NOT FAIR
OPPORTUNITY TO LITIGATE THEIR REMAINING STILL
UNTOUCHED, ORIGINAL CLAIMS OF DISCRIMINATION :**

1. In 2007 EEOC conclusion ,which content was full of non discrimination facts (intentionally picked from context of original plaintiff's charges and changed into opposite meaning ,into wanted way) of rewrote/recopied by lazy/corrupted or low I.Q. Mrs. *Hazel C. Stewart* (EEOC female investigator) from only Classic's tale/respond to issued by EEOC on June ,2007 Discrimination Charges in violation the law under Title VII of the Civil Rights Act of 1964 ("Title VII"). EEOC investigator Mrs. *Hazel C. Stewart* intentionally **FORGOT** to open by plaintiffs provided numerous evidences under title **CONFIDENTIAL** which defeated all Classic's sweet tale of non discrimination.

Hazel C. Stewart intentionally FORGOT to give the right for Plaintiff's to file the **REBUTTAL** ,which is a **MUST** in EEOC, with accompanied huge amount of supportive admissible documental evidences to defeat Classic's " sweet tale".

2. On 1/15/2009 corrupted Judge *H.Baer* (again as in 2007 Mrs. Hazel C. Stewart from EEOC) recopied/rewrote word by word Defendant's only Statement of Facts and Law in Motion for Summary Judgment (25 pages) making two times shorter (10 pages) Opinion and Order ,which had only small (5%)

amount of intentionally picked separate not related words, expressions/phrases from original 2008 Plaintiff's Amended Complaint (25 paragraphs on 17 pages) and changed them into opposite meaning, integrated into wanted way of small lie/tale taken from of allegedly original Plaintiff's claims as indiscriminated facts. Corrupted judge ***H.Baer*** **FORGOT** that he as US Court's judge is obligated as a **MUST** to revue and consider on **BOTH** cases not **ONLY** to recopy, to rewrite the **ONLY DEFENDANT's** smart tale/story ,which was made so simply naïve that no even one fact, no even 1% of similar meaning (because of intentional change into opposite meaning ,wanted way as misstatements) remained as taken from original plaintiff's claims and originally raised discrimination and retaliation facts in Amended Complaint filed in March, 2008 (Bronzini I) and in filed the 2011 y. Amended Complaint (Bronzini II) expanded edition with revealed new discrimination facts, supported by 204+ documental admissible evidences selected as the most crucial, from 5000 remaining recovered by corrupted Judge's ***H.Baer***'s help in strict numerous orders during 2008year's Motion to Compel Discovery . Plaintiff's 2008 year's Local civil Rule 56.1 Statement of Facts (33paragraphs on 15pages) and Memorandum of law in Opposition to Defendant's Motion for Summary Judgment (on 23pages),which fully defeated defendant's provided Facts and Memorandum of Law , revealing that all are false, lie and misstatements , all were defeated with 204 supportive admissible evidences, selected as the most

crucial from 5000 numbered proofs ,evidences (recovered by numerous strict judge Baer's orders) remained intentionally **FORGOTTEN** and intentionally **UNTOUCHED** even not mentioned that ever **EXISTED** (10 copies still are in US Court's archives) by corrupted judge **H.Baer**.

3. US Court of Appeals for the Second Circuit on 06/22/09 received for fair revue and consideration 15 packages (108 pages each) contained Brief and Appendix ,which included untouched by corrupted judge **H.Baer** Plaintiffs' Local Civil Rule 56.1 Statement of Facts and Memorandum of Law in Opposition to Motion for Summary Judgement with supportive 79 selected from 204 as the most crucial admissible evidences, recopied/rewrote from defendant only dated 1/15/09 **SHAMEFUL** corrupted judge **H.Baer's** Opinion and Order, but one female judge (most greedy, most corrupted) and 2 other males judges (sleepy, lazy , corrupted) intentionally **FORGOT** to open or even to mention that there were provided by Plaintiffs' full untouched and even mentioned that existed case/ Brief with evidences on 108 pages and just only one word **PER NOVO** sleepy , corrupted brigade off 3 lazy judges could add to the allegedly **ONLY EXISTED** corrupted judge's **H.Baer's** dirty creation- Opinion & Order. The **ONLY** one order in corruption business matter brigade of 3 Appeal judges issued to **DEFENDANT as MUST TO ATTEND** for 5 minutes only for an **ORAL ARGUMENT** (requested by Plaintiff's) – warning to defendant, that Appeal

Court's judge's brigade is hungry too (as in EEOC ***Hazel Stewart*** and in US Court judge ***H.Baer***) and their favor on decision **MUST** be bought. Such type of as **DEFENDANT MUST TO ATTEND** 5 minutes long **ORAL ARGUMENT** ,which Appeal Court is issuing as special ,super strict order just once per 1-5 years , because of case's status- **BESTSELLER** .

4. Judge ***K.B. Forest*** in her created Memorandum Decision & Order was so pathetically lazy and naïve that rewrote/recopied only first **7 (SEVEN)** phrases taken from 11 pages of corrupted judge's ***H.Baer's*** Opinion and Order (1/15/09), which were by the same judge (H.B.) recopied/rewrote from the defendant's 22 pages Statement of Facts and Law in Motion For Final Judgment filed on November 7,2008... as allegedly these couple of phrases were the main containt as a Brief from all plaintiff's case of 391 pages , couple of phrases without any addressable meanings , taken from fraudulent defendant's lawyer's fantasy world.

Judge ***K.B.Forest*** from these couple recopied/rewrote sentences/lies made 13 pages full of ***inter alia , alia inter , alia alia, tra lia alia*** – allegedly applicable law findings for dismissal with prejudice all 34 paragraphs full of severe racial, national origin , age discrimination and retaliation actions committed by Classic's Director of Operations African- American Mr.R.Jessamy and his office team since January,2004 to March, 2008 with some small exceptions- without prejudice , without opening even one page of case provided by plaintiff for fair revue-

consideration, because plaintiff's case's with 391 pages review are not as simple 391 same *inter alia* or *alia inter* –it is full package of untouched by judge **H.Baer** and Court of Appeal plaintiff's 391 pages of original EEOC 2007 and EEOC 2011 complaints, Amended Complaints from 2008 and 2011 years, original Plaintiff's Local Civil Rule 56.1 Statement of Facts and Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment filed on December 15, 2008 with supportive 204+ documental admissible evidences which were untouched for review or even with one word mentioned that existed by corrupted judge **H.Baer** and by corrupted 3 judges from Court of Appeal. Now in 2012 year are **AGAIN** provided to the Court as 2011 **PLAINTIFF's CASE** with Appendix (391 pages) in opposition to defendant's **CASE** –Motion to Dismiss on 14 pages full of repeated the same 1,2,3...4 phrases ,same 1,2,3...4 ,same again 1,2,3..4 allegedly the only found similar phrases/ facts from 2008 Bronzini I (25 paragraphs on 19 pages) compared to 2011 Bronzini II (34 of 56 paragraphs on 58 pages) for all severe discrimination and retaliation actions committed by African-American Classic's office team against white, foreign born plaintiffs from 2004 to 2009 year's dismissal. Plaintiff's case in 2012 year remained still untouched by corrupted judge K.B. Forest with her *inter alia*, *alia inter* through 13 pages of Memorandum Decision & Order by only her known bunch of dismissive orders on

never ever opened, untouched, unknown 391 pages of 2011y. **PLAINTIFF's CASE**

For the foregoing reasons judge **K. B.Forest** must be immediately taken away from the Case with her groundless law findings and dismissible orders :

1. Judge **K.B.Forest** today in 2012year again, as in 2009 year corrupted judge **H.Baer**, ignoring all 391 pages of the case provided by plaintiff in opposition to defendant's pre answer Motion to Dismiss, (**KBF**) wrote in her 05/0212 Memorandum Decision & Order on page #2 **FIRST AND LAST TIME -ONLY 7 PHRASES/facts** (5-25 words each), as her allegedly the **ONLY** existed facts/findings from the whole provided by plaintiff's from 2008 year's (25 paragraphs on 17 pages) and from 2011 year's (55 paragraphs on 71pages) Amended Complaints, and which only 6 phrases/facts she (**KBF**) rewrote/recopied from the corrupted **H.Baer's** 01/15/09 Opinion & Order, which became legendary as the best achievement in **US COURT's** history (was provided by NY Law School student, who found corrupted judge's **H.Baer's** rewrote/recopied shameful corruption business record and proudly placed it in NY Law Journal, for special attention as real **BESTSELLER** to all NY Law School students and graduates ,who became so big professionals, that 90% after graduation are employed only as coffee/makers or toilet and table cleaners at Starbucks as the most popular career in 2011/2012 years.

2. In 2012 y. judge **KB.Forest** these recopied/rewrote the **ONLY 7** phrases (5-25 words each) taken from corrupted judge **H.Baer's** 2009 y. Opinion & Order (initially made from defendant's super successful lawyer's sick fantasy-fraudulent Classic's sweet tale +recopied/rewrote by Law student + signed by corrupted judge **H.Baer** = Opinion & Order), unsuccessfully in smart, hidden, allegedly invisible way, tried in smallest letters on the bottom of her page #4 of Memorandum Decision & to COMPARE 3 -5 words of selected phrases (same taken from page # 2) with plaintiff's 2008 y. (25 paragraphs on 17 pages) and with 2011y. (55 paragraphs on 71 pages) as the **FINDING THAT IDENTICAL ISSUES WAS LITIGATED IN THE PREVIOUS** (corrupted, businessman's judge **H.Baer**) **PROCEEDING** – by her (**KBF**) intuition, inner feelings and NY Law School standards it must be - only **(PROBALY) COLLATERAL ESTOPEL** (page #6) - under federal law and she (**KBF**) in her further allegedly law /mess citations on the same recopied/rewrote 6 phrases, 5-9 words each, from shameful corrupted judge's **H.Baer's BESTSELLER**, she (**KBF**) found with her less than one year's as US Court's judge experience, nominated by first African-American US President Obama, that these 6 same phrases could fit by her super intuition and based on previously from 2007 y. corrupted EEOC female **Hazel C. Stewart** investigator's inner intuition and plus based on super heroic **MAFIA's** judge' **H.Baer's** intuition, who, after long Mafia criminal case , became corrupted

US Legal Mafia' s leader and coordinator in this the most dirty in 21st century in US history case , which involved full corrupted 62 Police Precinct's (Italian Mafia's area- Bensonhurst Plaintiff's living) cops , who made criminal **EXECUTIONS on two PLAINTIFF'S .**

Judge's **K.B. Forest's several allegedly exact citations** from full 2008year's Plaintiffs' Amended Complaint (25paragraphs on 19pages) as the main and the **ONLY** found allegedly from Bronzini I :

1. "Specifically, plaintiff alleged that, from approximately 2004 through 2008, Classic Security did not provide him with work assignments"- **proffered as misstatement and lie** in provided by plaintiffs' cases from 2008 and in new 2011year's (391page) through supportive 204 admissible evidences from Appendix as # D, #4, #10 B,#13A, #13B, #13C, #13D, #14A, #14B, #14C, #14D, #14E, #14F, #14B,# 14H, #14J, #15, #16C,...and 20+ more other #'s.
2. "failed to pay him at a rate of a Fire Safety Director ("FSD")- **WHO, WHY,WHEN, WHERE????**
3. "did not allow him to take breaks at work"- **WHO,WHY,WHEN,WHERE????**
4. "and withheld money from his paychecks"-**WHO,WHY,HOW MUCH, WHEN, ????**
5. "Plaintiff also alleged that Classic Security retaliated against him (after he sent a letter to his Union regarding the discrimination and filed charges with the Equal

Employment Opportunity Commission (the “EEOC”) by removing him from certain work shifts”- **WHEN, WHERE, HOW OFTEN, FOR HOW LONG????**

6. “canceling two onsite FSD examinations”- **WHO, WHEN, HOW, WHERE,????**
7. “and organizing a police raid against him and his wife”- **WHY, HOW, WHEN, WHERE ???**

These the **ONLY 7** short (5 to 25 words) judge **K.B.Forest's** as exact citations (non addressable) allegedly found as the true plaintiffs the **ONLY EXISTED ALLEGATIONS** allegedly citated (by **K.B.F.**) from full 2008 Amended Complaint as Bronzini I , which contained 25 paragraphs (55 to 210 words each) on19 pages ,**THESE ONLY 7** short phrases allegedly made grounds to dismiss all first 34 paragraphs (95 to 1700 words each) on 58 pages as Bronzini II from new 2011year's Plaintiff's Amended Complaint (full 55 paragraphs on 71page) as allegedly she (**KBF**) found the **SAME 7 SHORT PHRASES in BOTH** Bronzini I and in Bronzini II and by her inner intuition as **INTER ALIA** all 34 paragraphs from Bronzini II ,as asked defendant's lawyer, are allegedly fit to dismiss with prejudice (forever – reveal only after 1000 years) by US Law under doctrine of collateral estoppel and res judicata. Judge **K.B.Forest** with her inner **INTER ALIA** most believable thought that corrupted judge with his huge many years (**K.B.Forest** less than one year) of experience **H.Baer** made numerous strict discovery orders as a **MUST** to defendant in recovering 5000 **(FIVE**

THOUSANDS) admissible evidences, supportive documental proofs just on **ONLY 7 PHRASES** found by **(KBF) INTER ALIA**, and sold his favor with his US judge' honor in his dirty dismissal- **OPINION & ORDER** rewrote/recopied from defendant's 2008 Motion to Dismiss.

Dated: May 18th, 2012

E. Bronzini

Plaintiff Eimont Bronzini

2251 81st Street apt C-1

Brooklyn, NY 11214

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EIMONT BRONZINI

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

- against -

Classic Security LLC

11 Civ. 2096 (KBF)

AFFIRMATION OF SERVICE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, EIMONT BRONZINI, declare under penalty of perjury that I have

(name)

served a copy of the attached NOTICE OF MOTION OF REUSAL

(document you are serving)

upon Classic Security (ANDREW W. SINGER) whose address is ANDREW W. SINGER
(name of person served)

TANNENBAUM HELPERN SYRACUSE & HIRSCHTRITT LLP, 300 THIRD AVENUE, NEW YORK
(where you served document) NY 100-22

by _____

(how you served document: For example - personal delivery, mail, overnight express, etc.)

Dated:

Brooklyn, NY
(town/city) MAY 18, 2012
(month) (day) (year)

Signature

2251 81st STREET, APT C-1

Address

BROOKLYN, NY
City, State

11214

Zip Code

718 480 3741

Telephone Number